

**MUNICIPAL CLERK
CITY OF ATLANTA**

AN ORDINANCE

**BY COUNCILMEMBERS MICHAEL J. BOND AND "ABLE" MABLE
THOMAS**

**AN ORDINANCE TO A ABANDON PORTION OF
MITCHELL STREET, SW BETWEEN TATNALL
STREET, SW AND BECKWITH COURT, SW; AND
TO CONVEY SAID ABANDONED STREET AT
NO COST TO MORRIS BROWN COLLEGE; TO
WAIVE THE PROVISIONS OF SECTION 2-1578
OF THE CODE OF ORDINANCES; PROVIDED
HOWEVER, THAT SECTION 2-1578 (b)
REQUIRING CERTAIN NOTIFICATIONS AND
SECTION 138-9 (f) INsofar AS IT PERTAINS TO
THE ADVERTISEMENT AND PUBLIC HEARING
REQUIREMENT, SHALL NOT BE WAIVED; AND
FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has received a formal request from Morris Brown College, the abutting property owner, to abandon a portion of certain streets for the purpose of using the property for their own private use; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and their responsibility to maintain, operate, and provide all services and utilities; and

WHEREAS, the request to abandon said streets has been reviewed by the proper City agencies and by all public utilities.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
ATLANTA, GEORGIA, AS FOLLOWS:**

Section 1: That Mitchell Street, S.W., between Tatnall Street, S.W. and Beckwith Court, S.W. lying and being in Land Lot 84 of the 14th District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and the same is hereby declared no longer useful or necessary for the public's use and convenience.

Section 2: The provisions of Section 2-1578 of the Code of Ordinances are hereby waived, provided however that Section 2-1578 (b) requiring certain notifications and Section 138-9(f) insofar as it pertains to the advertisement and public hearing requirement, shall not be waived.

Section 3: The City's intent is hereby given that said streets shall be abandoned.

Section 4: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

Section 5: That the Director of the Bureau of Purchasing and Real Estate is hereby directed to have prepared an appraisal of the fair market value of the street right-of-way to be abandoned.

Section 6: That all costs associated with the appraisal of the subject property and all costs associated with the advertising of this petition for abandonment shall be charged to and paid from Account Number 1A01-524001-G55001.

Section 7: That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, the City Attorney is hereby directed to prepare a Quit Claim Deed and other appropriate documents for said abandoned street right-of-way.

Section 8: That the Mayor is hereby authorized to execute said Quit Claim Deed for the abandoned street right-of-way to Morris Brown College.

Section 9: Upon execution, all documents shall be filed and recorded with the Clerk of Superior Court of Fulton County.

RCS# 3331
12/03/01
5:42 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-1465; 01-O-1577; 01-O-1641

FILE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

NV McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
NV Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE

01-0-1465

(Do Not Write Above This Line)

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- FILED BY
CITY COUNCIL
- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 9/4/01

Referred To: City Utilites

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee City Utilites
Date 9-11-01
Chair 9-25-01
Action: Fav, Adv, Hold (see rev. side)
Other: _____
Members _____
Refer To _____

Committee City Utilites
Date 11-27-01
Chair Clare Muller
Action: Fav, Adv, Hold (see rev. side)
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
DEC 3 2001
ATLANTA CITY COUNCIL PRESIDENT
Randy P. Pata

CERTIFIED
DEC 03 2001

Deputy Municipal Clerk

MAYOR'S ACTION